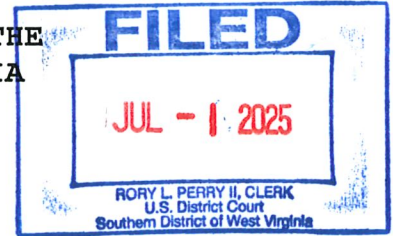


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY GRAND JURY 2025
JULY 1, 2025 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:25-cr-00114
18 U.S.C. § 2252A(a) (2)
18 U.S.C. § 2252A(b) (1)

DYLAN LOUIS CAPONE

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

On or about September 29, 2024, at or near Berwind, McDowell County, West Virginia, and within the Southern District of West Virginia, defendant DYLAN LOUIS CAPONE did knowingly distribute and attempt to distribute child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by cell phone, and by using a means and facility of interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b)(1).

COUNT TWO

On or about December 26, 2024, at or near Berwind, McDowell County, West Virginia, and within the Southern District of West Virginia, defendant DYLAN LOUIS CAPONE did knowingly distribute and attempt to distribute child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by cell phone, and by using a means and facility of interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b)(1).

FORFEITURE

In accordance with 18 U.S.C. § 2253(a) and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised on the conviction of defendant DYLAN LOUIS CAPONE of a violation of 18 U.S.C. § 2252A, as set forth in Counts One and Two of this Indictment, the defendant shall forfeit to the United States any visual depictions and any books, magazines, periodicals, films, videotapes, and other matter which contains such visual depictions, which were produced, transported, mailed, shipped, or received in connection with the violations set forth in this Indictment, any real and personal property constituting or traceable to gross profits or other proceeds obtained from the violations set forth in this Indictment, and any real and personal property used or intended to be used to commit or to promote the commission of the violations set forth in this Indictment, including, but not limited to the Motorola Moto E6 Plus cellular telephone bearing serial number ZD2225QDRD seized on or about February 27, 2025.

LISA G. JOHNSTON
Acting United States Attorney

By:



LESLEY SHAMBLIN
Assistant United States Attorney